

JAMES McMANIS (40958)
ELIZABETH PIPKIN (243611)
CHRISTINE PEEK (234573)
JENNIFER MURAKAMI (273603)
McMANIS FAULKNER
A Professional Corporation
50 W. San Fernando, 10th Floor
San Jose, CA 95113
Telephone: (408) 279-8700
Facsimile: (408) 279-3244
cpeek@mcmanislaw.com

Attorneys for Plaintiff,
Rahinah Ibrahim

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RAHINAH IBRAHIM, an individual,

Plaintiff,

v.

DEPARTMENT OF HOMELAND
SECURITY, et al.,

Defendants.

Case No. C 06-0545 WHA

**DECLARATION OF CHRISTINE PEEK
IN OPPOSITION TO FEDERAL
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

REDACTED

Date: October 10, 2013
Time: 8:00 a.m.
Judge: The Hon. William Alsup
Ctroom: 8, 19th Floor

I, Christine E. Peek, declare:

1. I am an attorney at law licensed to practice before the United States District Court for the Northern District of California. I am a partner at McManis Faulkner, attorneys of record for plaintiff, Rahinah Ibrahim, in the above-entitled action. I submit this declaration in support of plaintiff's Opposition To Federal Defendants' Motion For Summary Judgment. This declaration is based upon my own personal knowledge, except where stated as based upon information and belief. If called as a witness to testify to the matters asserted herein, I could testify competently.

Table of Contents - Exhibits
to the Declaration of Christine Peek in
Opposition to Federal Defendants'
Motion for Summary Judgment

****Lodged Under Seal Pursuant to
Protective Order****

1 2. On July 5, 2013, plaintiff's counsel and the federal defendants took the deposition
2 of plaintiff Rahinah Ibrahim. Attached hereto as **Exhibit A** is a true and correct copy of excerpts
3 of Volume 1 of the Deposition of Dr. Rahinah Ibrahim. Attached hereto as **Exhibit B** is a true
4 and correct copy of excerpts of Volume 2 of the Deposition of Dr. Rahinah Ibrahim taken on
5 July 6, 2013.

6 3. Attached hereto as **Exhibit C** is a true and correct copy of the curriculum vitae of
7 Dr. Rahinah Ibrahim, which was marked as Exhibit 28 at the Deposition of Dr. Rahinah Ibrahim,
8 Vol. 1, July 5, 2013.

9 4. Attached hereto as **Exhibit D** is a true and correct copy of the 9/11 Commission
10 Report.

11 5. Attached hereto as **Exhibit E (manually filed)** is a true and correct copy of
12 Jeffrey Kahn, Mrs. Shipley's Ghost, The Right to Travel and Terrorist Watchlists (The
13 University of Michigan Press 2013).

14 6. On May 29, 2013, I took the deposition of Debra Lubman, the Acting Deputy
15 Director of the Terrorist Screening Center and 30(b)(6) designee for the Federal Bureau of
16 Investigation. Attached hereto as **Exhibit F (filed under seal)** is a true and correct copy of
17 excerpts of the May 29, 2013 deposition of Debra Lubman. I am informed and believe that the
18 red boxes in the document indicate the SSI designations of counsel for TSA.

19 7. Because defendants did not produce approximately 700-1000 pages of additional
20 TSDB records in time for the May 29, 2013 deposition, the deposition of the FBI was continued
21 to a date after defendants' production of these records. On July 23, 2013, plaintiff's counsel
22 resumed the deposition of the FBI's Rule 30(b)(6) witness, Debra Lubman. Attached hereto as
23 **Exhibit G (filed under seal)** is a true and correct copy of pertinent portions of the transcript of
24 the continued deposition. I am informed and believe that the red boxes in the document indicate
25 the SSI designations of counsel for TSA.

26 8. On July 23-24, 2013, I took the deposition of the TSC's Rule 30(b)(6) witness,
27 Debra Lubman, the Acting Deputy Director of the Terrorist Screening Center. Attached hereto
28 as **Exhibit H (filed under seal)** is a true and correct copy of pertinent portions of the transcript

1 of the deposition. I am informed and believe that the red boxes in the document indicate the SSI
2 designations of counsel for TSA.

3 9. Attached hereto as **Exhibit I** is a true and correct copy of U.S. Department of
4 Justice, Office of the Inspector General Audit Division, Review of the Terrorist Screening
5 Center, Audit Report 05-27, June 2005, produced by defendants as TSC000397-000580, which
6 was marked as Exhibit 101 at the deposition of Debra Lubman on July 24, 2013.

7 10. Attached hereto as **Exhibit J** is a true and correct copy of Homeland Security
8 Presidential Directive 2, October 29, 2001, P001510-1512, which is available at
9 <http://georgewbush-whitehouse.archives.gov/news/releases/2001/10/20011030-2.html>.

10 11. Attached hereto as **Exhibit K** is a true and correct copy of United States General
11 Accounting Office, Homeland Security, Justice Department's Project to Interview Aliens after
12 September 11, 2011, April 2003, GAO-03-459, produced in this litigation as P006666-6702.

13 12. Attached hereto as **Exhibit L (filed under seal)** is a true and correct copy of
14 Defendants Amended Responses and Objections to Plaintiff's Requests for Admission to
15 Defendants, Set One, marked as Exhibit 11 at the Deposition of Debra Lubman, May 29, 2013.

16 13. Attached hereto as **Exhibit M (filed under seal)** is a true and correct copy of
17 Defendants Third Amended Responses and Objections to Plaintiff's Special Interrogatories to
18 Defendants, Set Two, September 4, 2013.

19 14. Attached hereto as **Exhibit N (filed under seal)** is a true and correct copy of

20 **REDACTED**

21 **REDACTED**, produced as NCTC000070-71, marked as Exhibit 8 to the
22 Deposition of Debra Lubman, May 29, 2013.

23 15. On September 12, 2013, I took the deposition of FBI Special Agent Kevin Kelley.
24 Attached as **Exhibit O (filed under seal)** is a true and correct copy of pertinent portions of the
25 rough deposition transcript. At this time, the rough transcript is the only available transcript
26 because the government is still reviewing the transcript to make its sensitive security information
27 designations.

28 16. Attached hereto as **Exhibit P (filed under seal)** is a true and correct copy of

1 [REDACTED], produced as DOS UNCLASS PRIV 000005-8, marked as
2 Exhibit 60 to the Deposition of Debra Lubman, July 23, 2013

3 17. Attached hereto as **Exhibit Q (filed under seal)** is a true and correct copy of
4 [REDACTED], July 8, 2005, produced as TSC002557-
5 2559 and marked as Exhibit 67 at the Deposition of Debra Lubman, July 23, 2013.

6 18. Attached hereto as **Exhibit R (filed under seal)** is a true and correct copy of

7 [REDACTED]
8 [REDACTED], produced as TSC002560-TSC2702.

9 19. Attached hereto as **Exhibit S** is a true and correct copy of a letter dated March 1,
10 2006 from U.S. Department of Homeland Security, Transportation Security Administration, to
11 Ms. Rahinah Binti Ibrahim, P000768, which was marked as Exhibit 40 to the Deposition of Dr.
12 Rahinah Ibrahim, July 5, 2013.

13 20. Attached hereto as **Exhibit T** is a true and correct copy of a letter dated
14 November 2, 2009 from U.S. Department of Homeland Security to Ms. Rahinah Binti Ibrahim,
15 P000656-57, dated November 2, 2009, which was marked as Exhibit 48 to the Deposition of Dr.
16 Rahinah Ibrahim, July 6, 2013.

17 21. Attached hereto as **Exhibit U (filed under seal)** is a true and correct copy of Dr.
18 Ibrahim's visa application and refusal documents from her visa application in 2009, P001033-
19 1075. These documents were marked as Exhibit 47 at the Deposition of Dr. Rahinah Ibrahim,
20 July 6, 2013.

21 22. Attached hereto as **Exhibit V (filed under seal)** is a true and correct copy of

22 [REDACTED]
23 [REDACTED] TSC001719-1720, marked as Exhibit 25 at the Deposition of Sean
24 Cooper, May 31, 2013.

25 23. Attached hereto as **Exhibit W (filed under seal)** is a true and correct copy of
26 [REDACTED], TSC002192-2215, which was marked as Exhibit 61 at
27 the Deposition of Debra Lubman, July 23, 2013.

28 24. Attached hereto as **Exhibit X (filed under seal)** is a true and correct copy of

- 1 [REDACTED]
- 2 [REDACTED], produced
- 3 as NCTC000074-76, marked as Exhibit 10 at the Deposition of Debra Lubman, May 29, 2013.
- 4 25. Attached hereto as **Exhibit Y** is a true and correct copy of House Judiciary,
- 5 March 24, 2010 testimony, produced as TSC01022-1128.
- 6 26. Attached hereto as **Exhibit Z (filed under seal)** is a true and correct copy of
- 7 [REDACTED], marked as Exhibit 15 at the
- 8 Deposition of Sean Cooper, May 31, 2013.
- 9 27. Attached hereto as **Exhibit AA** is a true and correct copy of Declaration of
- 10 Rahinah Ibrahim in Opposition to Federal Defendants' Motion to Dismiss, signed July 15, 2009,
- 11 marked as Exhibit 49 at Deposition of Dr. Rahinah Ibrahim, July 6, 2013.
- 12 28. Attached hereto as **Exhibit BB** is a true and correct copy of Declaration of
- 13 Rahinah Ibrahim in Opposition to the Federal Defendants' Motion to Dismiss and in Support of
- 14 Plaintiff's Response to Court's Request for Briefing Memoranda, signed November 20, 2012,
- 15 marked as Exhibit 50 at Deposition of Dr. Rahinah Ibrahim, July 6, 2013.
- 16 29. Attached hereto as **Exhibit CC** is a true and correct copy of Defendant City and
- 17 County of San Francisco's Responses and Objections to Plaintiff's Amended Special
- 18 Interrogatories (Set One), dated May 19, 2009.
- 19 30. On May 31, 2013, plaintiff's counsel took the deposition of Sean Cooper, the
- 20 30(b)(6) designee for the Department of State. Attached hereto as **Exhibit DD (filed under**
- 21 **seal)** is a true and correct copy of excerpts of Mr. Cooper's deposition.
- 22 31. Attached hereto as **Exhibit EE** is a true and correct copy of a letter from the U.S.
- 23 Department of Justice, Federal Bureau of Investigation to Andrew Christy, dated September 13
- 24 2011, available at https://epic.org/privacy/airtravel/EPIC_DOJ_FOIA_NoFlyList_09_13_11.pdf.
- 25 I reviewed these documents and the website of the Electronic Privacy Information Center
- 26 (EPIC), and Exhibit EE appears to be a copy of documents produced by the FBI in response to
- 27 Freedom of Information/Privacy Act (FOIPA) request number 1168114-000.
- 28 32. Attached hereto as **Exhibit FF** is a true and correct copy of General Accounting

Office, May 2012, Routinely Assessing Impacts of Agency Actions Since the December 25, 2009, Attempted Attack Could Help Inform Future Efforts, TSC000880-931.

33. Attached hereto as **Exhibit GG (filed under seal)** is a true and correct copy of Defendants Responses and Objections to Plaintiff's Requests for Admission to Defendants, Set Two, dated July 31, 2013.

34. Attached hereto as **Exhibit HH (filed under seal)** is a true and correct copy of **REDACTED**, TSC001803-1809, marked as Exhibit 7 at the Deposition of Debra Lubman, May 29, 2013.

35. Attached hereto as **Exhibit II (filed under seal)** is a true and correct copy of Kevin Kelley's interview notes from his interview of Dr. Ibrahim on December 23, 2004, TSC002555-2556, marked as Exhibit 71 at the Deposition of Debra Lubman, July 23, 2013.

36. Attached hereto as **Exhibit JJ** is a true and correct copy of Kevin Kelley's interview summary from his interview of Rahinah Ibrahim on December 23, 2004, P000771-778, marked as Exhibit 4 at the Deposition of Debra Lubman, May 29, 2013, and received from the FBI in response to Freedom of Information/Privacy Act (FOIPA) request number 1152354-000.

37. Attached hereto as **Exhibit KK (filed under seal)** is a true and correct copy of Kevin Kelley's interview summary from his interview of Rahinah Ibrahim on December 23, 2004, TSC003227-3230, marked as Exhibit 116 at the Deposition of Kevin Kelley, September 12, 2013.

38. Attached hereto as **Exhibit LL (filed under seal)** is a true and correct copy of **REDACTED**, TSC001655-1665, marked as Exhibit 6 at the Deposition of Debra Lubman, May 29, 2013.

39. Attached hereto as **Exhibit MM (filed under seal)** is a true and correct copy of Defendants' Responses and Objections to Plaintiff's Special Interrogatories, Set Four, September 9, 2013.

40. Attached hereto as **Exhibit NN** is a true and correct copy of NCIC Code Manual, December 2000, P003689-4374, marked as Exhibit 58 at the Deposition of Debra Lubman, July 23, 2013.

41. Attached hereto as **Exhibit OO** is a true and correct copy of U.S. Department of Justice, Office of the Inspector General, Audit Division, Follow-up Audit of the Terrorist Screening Center, Audit Report 07-41, September 2007, TSC000093-198, marked as Exhibit 102 at the Deposition of Debra Lubman, July 24, 2013.

42. Attached hereto as **Exhibit PP** is a true and correct copy of U.S. Department of Justice, Office of the Inspector General, Audit Division, Audit of the U.S. Department of Justice Watchlist Nomination Process, Audit Report 08-16, March 2008, TSC000001-38.

43. Attached hereto as **Exhibit QQ** is a true and correct copy of Department of Homeland Security, Office of the Inspector General, Implementation and Coordination of TSA's Secure Flight Program, July 2012, P004711-4776.

44. Attached hereto as **Exhibit RR** is a true and correct copy of FBI ditches materials criticized as anti-Muslim by Niraj Warikoo, Detroit Free Press, February 20, 2012, P006845-6846.

45. Attached hereto as **Exhibit SS** is a true and correct copy of FBI, Muslims report progress over training materials, Washington Post, February 16, 2012.

46. Attached hereto as **Exhibit TT** is a true and correct copy of Department of Homeland Security, Office of the Inspector General, The DHS Process for Nominating Individuals to the Consolidated Terrorist Watchlist, February 2008, P001642-1667.

47. Attached hereto as **Exhibit UU (filed under seal)** is a true and correct copy of a document entitled **REDACTED**, marked as Exhibit 22 at the Deposition of Sean Cooper, May 31, 2013.

48. Attached hereto as **Exhibit VV** is a true and correct copy of New Evidence of Anti-Islam Bias Underscores Deep Challenges for FBI's Reform Pledge, by Spencer Ackerman, Wired.com, September 23, 2011, P003655- 3663.

49. Attached hereto as **Exhibit WW (filed under seal)** is a true and correct copy of Dr. Ibrahim's visa application in 2009, DOS UNCLASS PRIV000065-69, marked as Exhibit 27 at the Deposition of Sean Cooper, May 31, 2013.

50. Attached hereto as **Exhibit XX** is a true and correct copy of Dr. Ibrahim's letter to

1 the Consul General of Malaysia, January 5, 2005, P000956-966, marked as Exhibit 30 at the
2 Deposition of Dr. Rahinah Ibrahim, dated July 5, 2013.

3 51. Attached hereto as **Exhibit YY** is a true and correct copy of a **REDACTED**
4 **REDACTED**, July 8, 2005, TSC001738-1740.

5 52. Attached hereto as **Exhibit ZZ** is a true and correct copy of Prof. Dr. Rahinah
6 Ibrahim, Design Informatics: Navigating Dynamic Knowledge Flows in Discontinuous
7 Innovation Enterprises (Universiti Putra Malaysia Press 2013), marked as Exhibit 52 at
8 Deposition of Dr. Rahinah Ibrahim, July 6, 2013.

9 53. Attached hereto as **Exhibit AAA (filed under seal)** is a true and correct copy of
10 In Camera, Ex Parte Declaration of Andrew G. McCabe, Federal Bureau of Investigation, March
11 14, 2013.

12 54. On August 28, 2013, Defendants' counsel took the deposition of Shirin Sinnar,
13 Attached hereto as **Exhibit BBB** is a true and correct copy of excerpts of Professor Sinnar's
14 deposition.

15 55. Attached hereto as **Exhibit CCC** is a true and correct copy of General
16 Accounting Office, May 2011, Visa Waiver Program, DHS Has Implemented the Electronic
17 System for Travel Authorization but Further Steps Needed to Address Potential Program Risks.

18 56. Attached hereto as **Exhibit DDD** is a true and correct copy of a page from the
19 FBI's website entitled Current FBI File Classification List (1st Quarter Fiscal Year 2008),
20 available at <http://www.fbi.gov/foia/current-fbi-file-classification-list-1st-quarter-fy2008>.

21 57. Attached hereto as **Exhibit EEE** is a true and correct copy of Respondents'
22 Notice of Filing of the Record and Statement Regarding the Record (*Ibrahim v. Department of*
23 *Homeland Security*, D.C. Circuit Case No. 06-1218), July 13, 2009, P000865-909.

24 58. Attached hereto as **Exhibit FFF** is a true and correct copy of Petitioner's Motion
25 to Compel the Complete Administrative Record, or in the Alternative, to Supplement the Record
26 (*Ibrahim v. Department of Homeland Security*, D.C. Circuit Case No. 06-1218), August 19,
27 2009.

28 59. Attached hereto as **Exhibit GGG** is a true and correct copy of Response to

1 Petitioner's Motion to Compel the Complete Administrative Record, or in the Alternative, to
2 Supplement the Record (*Ibrahim v. Department of Homeland Security*, D.C. Circuit Case No.
3 06-1218), September 3, 2009.

4 60. Attached hereto as **Exhibit HHH** is a true and correct copy of Petitioner's Reply
5 in Support of Motion to Compel the Complete Administrative Record, or in the Alternative, to
6 Supplement the Record (*Ibrahim v. Department of Homeland Security*, D.C. Circuit Case No.
7 06-1218), September 14, 2009.

8 61. Attached hereto as **Exhibit III** is a true and correct copy of FBI's New
9 Surveillance Plan Chills Religious and Political Activity, Bay Area Civil Rights Groups Warn,
10 American Civil Liberties Union, October 5, 2004, available at [https://www.aclu.org/national-](https://www.aclu.org/national-security/fbis-new-surveillance-plan-chills-religious-and-political-activity-bay-area-civil-)
11 [security/fbis-new-surveillance-plan-chills-religious-and-political-activity-bay-area-civil-](https://www.aclu.org/national-security/fbis-new-surveillance-plan-chills-religious-and-political-activity-bay-area-civil-)

12 62. Attached hereto as **Exhibit JJJ** is a true and correct copy of Department of
13 Homeland Security, Transportation Security Administration, Secure Flight Program, 73 Fed.
14 Reg. 209, 64018 (Oct 28, 2008) (to be codified at 49 C.F.R. pts. 1540, 1544, and 1560).

15 63. Attached hereto as **Exhibit KKK** is a true and correct copy of the Federal Bureau
16 of Investigation Memorandum, Mosque Liaison Contacts, December 12, 2006, P003514-3515,
17 marked as Exhibit 84 at the Deposition of Debra Lubman, July 24, 2013.

18 64. Attached hereto as **Exhibit LLL** is a true and correct copy of the Federal Bureau
19 of Investigation Memorandum, Mosque Liaison Contacts, April 5, 2007, P003516-3517, marked
20 as Exhibit 85 at the Deposition of Debra Lubman, July 24, 2013.

21 65. Attached hereto as **Exhibit MMM** is a true and correct copy of the Federal
22 Bureau of Investigation Memorandum, Mosque Liaison Contacts, October 11, 2005, P003510-
23 3511, marked as Exhibit 86 at the Deposition of Debra Lubman, July 24, 2013.

24 66. Attached hereto as **Exhibit NNN** is a true and correct copy of the Federal Bureau
25 of Investigation Memorandum, Mosque Liaison Contacts, June 1, 2007, P003518-3521, marked
26 as Exhibit 87 at the Deposition of Debra Lubman, July 24, 2013.

1 67. Attached hereto as **Exhibit OOO** is a true and correct copy of the Federal Bureau
2 of Investigation Memorandum, Mosque Liaison Contacts, June 29, 2007, P003522-3526, marked
3 as Exhibit 88 at the Deposition of Debra Lubman, July 24, 2013.

4 68. Attached hereto as **Exhibit PPP** is a true and correct copy of the Federal Bureau
5 of Investigation Memorandum, Mosque Liaison Contacts, January 14, 2008, P003527-3529,
6 marked as Exhibit 89 at the Deposition of Debra Lubman, July 24, 2013.

7 69. Attached hereto as **Exhibit QQQ** is a true and correct copy of the Federal Bureau
8 of Investigation Memorandum, Mosque Outreach Liaison, February 21, 2008, P003530-3532,
9 marked as Exhibit 90 at the Deposition of Debra Lubman, July 24, 2013.

10 70. Attached hereto as **Exhibit RRR** is a true and correct copy of the Expert Witness
11 Report of Shirin Sinnar, July 30, 2013.

12 71. Attached hereto as **Exhibit SSS (filed under seal)** is a true and correct copy of
13 **REDACTED**, DOS UNCLASS PRIV 000004, marked as Exhibit
14 16 at the Deposition of Sean Cooper, May 31, 2013.

15 72. Attached hereto as **Exhibit TTT** is a true and correct copy of Dr. Ibrahim's letter
16 to the Malaysian Consul, dated March 15, 2005, P001508-1509, marked as Exhibit 37 at the
17 Deposition of Dr. Rahinah Ibrahim, July 5, 2013.

18 73. Attached hereto as **Exhibit UUU** is a true and correct copy of Dr. Ibrahim's letter
19 to the Transportation Administration, attaching her Application for Passenger Identity
20 Verification, dated March 24, 2005, P000632-642, marked as Exhibit 39 at the Deposition of Dr.
21 Rahinah Ibrahim, July 5, 2013.

22 74. Attached hereto as **Exhibit VVV (filed under seal)** is a true and correct copy of
23 **REDACTED**
24 **REDACTED**, DOS UNCLASS PRIV 000053-54, marked as
25 Exhibit 20 at the Deposition of Sean Cooper, May 31, 2013.

26 75. Attached hereto as **Exhibit WWW (filed under seal)** is a true and correct copy of
27 **REDACTED**, October 30, 2000, DOS
28 UNCLASS PRIV 000055-57, marked as Exhibit 21 at the Deposition of Sean Cooper, May 31,

1 2013.

2 76. Attached hereto as **Exhibit XXX (filed under seal)** is a true and correct copy of
3 **REDACTED**, TSC002837-
4 2840, marked as Exhibit 112 at the Deposition of Kevin Kelley, September 12, 2013.

5 77. Attached hereto as **Exhibit YYY (filed under seal)** is a true and correct copy of
6 **REDACTED**, marked
7 as Exhibit 114 at the Deposition of Kevin Kelley, September 12, 2013.

8 78. Attached hereto as **Exhibit ZZZ** is a true and correct copy of United States
9 General Accounting Office, Border Security, New Policies and Procedures Are Needed to Fill
10 Gaps in the Visa Revocation Process, June 2003, GAO-03-798.

11 79. Attached hereto as **Exhibit AAAA** is a true and correct copy of The Federal
12 Bureau of Investigation's Terrorist Watchlist Nomination Practices, U.S. Department of Justice,
13 Office of the Inspector General, Audit Division, Audit Report 09-25, May 2009.

14 80. Attached hereto as **Exhibit BBBB** is a true and correct copy of the United States
15 Government Accountability Office's Statement for the Record to the Committee on Homeland
16 Security and Governmental Affairs, U.S. Senate, Information Sharing – Progress Made and
17 Challenges Remaining in Sharing Terrorist-Related Information, dated October 12, 2011.

18 81. Attached hereto as **Exhibit CCCC (filed under seal)** is a true and correct copy of
19 the Declaration of Cindy A. Coppola, dated February 21, 2013.

20 82. Attached hereto as **Exhibit DDDD (filed under seal)** is a true and correct copy of
21 a document entitled **REDACTED**, marked as Exhibit 14 at the Deposition of Sean
22 Cooper, May 31, 2013.

23 83. Attached hereto as **Exhibit EEEE (filed under seal)** is a true and correct copy of
24 an email chain containing emails from individuals at the Department of State, marked as Exhibit
25 17 at the Deposition of Sean Cooper, May 31, 2013.

26 84. Attached hereto as **Exhibit FFFF (filed under seal)** is a true and correct copy of
27 an email chain containing emails from individuals at the Department of State, marked as Exhibit
28 18 at the Deposition of Sean Cooper, May 31, 2013.

1 85. Attached hereto as **Exhibit GGGG** is a true and correct copy of Eric Lichtblau,
2 Inquiry Targeted 2,000 Foreign Muslims in 2004, N.Y. Times, Oct. 31, 2008, available at
3 http://www.nytimes.com/2008/10/31/us/31inquire.html?_r=0.

4 86. Attached hereto as **Exhibit HHHH** is a true and correct copy of a Joint Press
5 Release by Yale Law School and the American-Arab Anti-Discrimination Committee, ICE
6 Targets Immigrants from Muslim Majority Countries during 2004 Presidential Election, Nov. 4,
7 2008, available at [http://nnirr.blogspot.com/2008/11/fw-from-adc-ice-targets-immigrants-](http://nnirr.blogspot.com/2008/11/fw-from-adc-ice-targets-immigrants-from.html)
8 [from.html](http://nnirr.blogspot.com/2008/11/fw-from-adc-ice-targets-immigrants-from.html).

9 I declare under penalty of perjury under the laws of the United States that the foregoing is
10 true and correct.

11
12 DATED: September 19, 2013

/s/ Christine Peek
CHRISTINE PEEK